

**BEFORE THE GEORGIA ATHLETIC AND ENTERTAINMENT COMMISSION**

**IN THE MATTER OF:**

**B & C BOXING, LLC,  
License No. BPRO00008**

**RESPONDENT.**

**Docket No. 200804**

**PUBLIC CONSENT ORDER**

By agreement of the Georgia Athletic and Entertainment Commission ("Commission") and B & C Boxing, LLC, licensed boxing promoter in the State of Georgia, ("Respondent"), the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a)(4), as amended.

**FINDINGS OF FACT**

1.

The Respondent is licensed to practice as a boxing promoter in the State of Georgia and was so licensed at all times relevant to the matters set forth herein.

2.

Respondent was the promoter for a Commission-approved boxing event held on February 29, 2008, at the Rialto Theatre located at 80 Forsyth Street, Atlanta, GA 30303 in Atlanta, Georgia.

3.

The Respondent advertised contestants that did not compete or appear at the event in violation of Commission Rule 85-1-.05(1)(h) and Rule 85-1-.05(7)(a).

4.

Respondent did not pay the regulatory fee of five percent of the gross proceeds of the event (exclusive of federal taxes) within ten (10) days of the event as required by O.C.G.A. § 43-4B-20(a) and Commission Rule 85-1-.02(6)(c).

5.

The Respondent violated Commission Rule 85-1-.02(3)(h) when a video of the event was not provided to the Board within ten (10) days of the event.

6.

In violation of O.C.G.A. § 43-4B-11(a) unlicensed boxers, trainers, and corner men participated in the event when a check for \$560.00 provided by the Respondent for payment of their fees associated with their license applications defaulted.

7.

At the April 8, 2008 Commission Board Meeting, the Respondent agreed to a ninety (90) day suspension to begin at the conclusion of said Board Meeting.

8.

The Respondent admits to the above findings of fact and waives any further findings of fact with respect to the above-styled matter.

#### CONCLUSIONS OF LAW

Respondent's conduct constitutes sufficient grounds for the imposition of restrictions upon Respondent's license to act as a promoter of boxing in the State of Georgia pursuant to O.C.G.A. Ch. 4B, T. 43, as amended. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

## ORDER

The Commission, having considered all the facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the following restrictions shall be imposed upon the Respondent's license to operate as a promoter in a match, contest, or exhibition of boxing in the State of Georgia:

1.

As of April 8, 2008, the Respondent's license to promote boxing in the State of Georgia shall be suspended for a period of ninety (90) days and until the suspension is lifted under paragraph (5) of this Order. During said period of suspension, Respondent shall not engage in the promotion of any boxing events. If the Respondent acts as a promoter of a boxing event in the State of Georgia without the prior express written permission of the Commission, the Respondent's license shall be subject to revocation, upon substantiation thereof.

2.

The Respondent agrees to pay the Commission a fine of twenty (20) percent of the gross proceeds tax for failure to remit to the Commission the gross proceeds tax payment within ten days of the February 29, 2008 event at the Rialto Theatre as required by O.C.G.A. § 43-4B-20(a). The payment is due no later than July 8, 2008. The payment must be made by cashier's check or money order payable to the Georgia Athletic and Entertainment Commission at Suite #814, West Tower #2 MLK Jr. Drive, Atlanta, GA 30334. Failure to pay the fine by the end of the suspension shall be grounds for additional disciplinary action including revocation of license.

3.

This Consent Order and the dissemination thereof will serve as a public reprimand to Respondent for his conduct.

4.

The Respondent shall advise the Commission of any change in Respondent's residence and/or office address.

5.

At the end of the ninety (90) day suspension on July 8, 2008, the Respondent may petition the Commission for the lifting of the suspension of the license by certifying under oath before a notary public that Respondent complied with all conditions of suspension as set forth in this Consent Order. Respondent acknowledges that to ensure that the Board lifts the suspension of Respondent's license; Respondent must petition the Board for such action. At such time, the Commission shall be authorized to restore all rights and privileges incident to the license of the Respondent, unless the Commission has received information that the Respondent has failed to comply with the law and rules regulating professional boxing in the state of Georgia. Should the Commission determine that reasonable cause exists for maintaining Respondent's license on a suspended status, the Commission shall notify Respondent of its intent to extend the suspension period, and Respondent may respond to such notification in writing or request an appearance before the Commission or its representative as in a non-contested case. In any event, this Consent Order shall remain in effect pending a final determination by the Commission and notification that the suspension period has terminated.

6.

The Respondent shall abide by all State and Federal laws relating to the regulation of the practice of boxing in the State of Georgia, the Rules and Regulations of the Commission, and the terms of this Consent Order. If the Respondent shall fail to abide by such laws, rules or terms, his license may be revoked, upon substantiation thereof.

7.

Approval of this Consent Order by the Commission shall in no way be construed as condoning the Respondent's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Commission. This Consent Order shall not become effective until approved by the Commission and docketed by the Commission Secretary.

8.

Respondent acknowledges that he has read this Consent Order and that he understands its contents. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order. Respondent understands that this Consent Order will not become effective until approved by the Commission and docketed by the Commission Secretary. Respondent further understands and agrees that the Commission shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Commission. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Commission to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

SIGNATURES ON FOLLOWING PAGE

Approved, this 8<sup>th</sup> day of July, 2008.

GEORGIA ATHLETIC AND ENTERTAINMENT  
COMMISSION

BY:

*Andy Foster*  
*for JJ Biello Andy Foster*

J.J. BIELLO  
Commission Chairman

(COMMISSION SEAL)

ATTEST:

*Kelly Farr*  
KELLY FARR  
Commission Secretary

CONSENTED TO:

*Anthony Colo*  
B & C Boxing, LLC  
Respondent

As to B & C Boxing, LLC:  
Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: